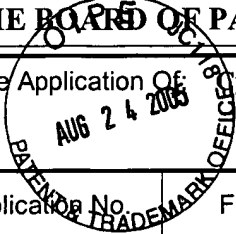


ATZ

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)**

Docket No.
887

In Re Application Of: Cynthia L. Cassel



Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/767,413	01/23/2001	Toan Pham	33055	2632	2467

Invention: Combination Breathing Monitor Alarm and Audio Baby Alarm

COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated 01/07/2005 finally rejecting Claim(s) 1-11

Applicant is a small entity under 37 CFR 1.9 and 1.27.

☒ Applicant claims small entity status. See 37 CFR 1.27

The fee for this Notice of Appeal is: \$250.00

☒ A check in the amount of the fee is enclosed.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 07-2380

☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Signature

John D. Gugliotta, PE, Esq.
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137 S. Main St., Ste. 202
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330-253-5678
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Dated: August 22, 2005

08/24/2005 LWONDIH1 00000079 09767413

01 FC:2401

250.00 DP

CC:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

August 22, 2005

(Date)

Signature of Person Mailing Correspondence

Terry Lakos

Typed or Printed Name of Person Mailing Correspondence